

Attorney Docket No.: 10094.200-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Sjöholm et al.

Confirmation No: 9039

Serial No.: 09/779,323

Group Art Unit: 1652

Filed: February 8, 2001

Examiner: M. Monshipouri

For: Use of Acid Stable Protease in Animal Feed

CERTIFICATE OF FACSIMILE TRANSMISSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

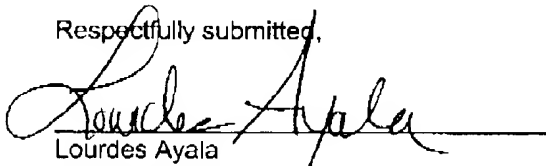
I hereby certify that the attached correspondence comprising:

1. Supplemental Reply Under 37 C.F.R. 1.116
2. Declaration Under 37 C.F.R. 1.132

was sent to the United States Patent and Trademark Office by telefax to the attention of Examiner
M. Monshipouri, fax number (703) 746-5256.

Respectfully submitted,

Date: September 3, 2003


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SUPPLEMENTAL REPLY UNDER 37 C.F.R. 1.116

Commissioner for Patents
Washington, DC 20231

Sir:

This submission is a supplemental reply to the Advisory Action mailed June 18, 2003 in which the Office maintained the rejection of claims 25-30 under 35 U.S.C. 103 as being unpatentable over Bedford et al. (WO 96/05739) in view of JP 02255081 (Snow Brand Milk Prod.). Reconsideration of the application in view of the following remarks and the remarks in the prior responses is requested.

Applicants previously submitted a Declaration under 37 C.F.R. 1.132 of Carsten Sjøholm who explains that the results disclosed in the Bedford et al. do not prove to one of ordinary skill in the art that the addition of a protease to an animal feed results in an improved feed conversion ratio and that the results disclosed in the instant application show that the *Nocardiopsis* protease of SEQ ID NO: 1 has a significantly better effect on protein solubilization in animal feed which leads to an improved nutritional value of the feed. Mr. Sjøholm concludes that these results are surprising and unexpected, especially when considering the thousands of proteases that are known in the art.

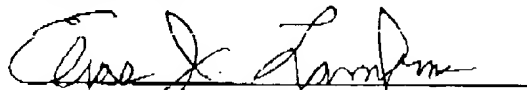
Applicants enclose a Declaration under 37 C.F.R. 1.132 of Anna-Maria Klünter which describes a set of experiments in which experiments were fed feed compositions with or without the *Nocardiopsis* protease of SEQ ID NO: 1. Dr. Klünter reports that the results of the experiments "clearly demonstrate that broiler chickens have a significantly improved weight gain and significantly improved feed conversion when fed an animal feed composition comprising the *Nocardiopsis* protease." Dr. Klünter also reports that the results of the experiments

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 103. Applicants respectfully request reconsideration and withdrawal of the rejection.

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

Date: September 3, 2003



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